

REMARKS

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,041,411 (WYATT) in view of US patent 6,263,442 (MUELLER). Claims 12-22 are also rejected under 35 USC 103(a) as being unpatentable over WYATT alone. The Examiner is respectfully requested to withdraw these claim rejections in view of the following comments distinguishing each claim, as amended, over the combination of WYATT and MUELLER.

Background

The applicant's invention relates to a data file distribution system wherein server software running on a source computer sends a data file via a network to a destination computer. Processing software within the destination computer processes the data file in some way. For example, the data file might be a print file, the kind of file a computer sends to a printer to tell the printer how to print a document. Suppose a software manufacture develops server software for sending a print file out on a network and also develops document viewing software that can receive a print file and display a copy of the document the print file describes on a monitor, thereby allowing a user to view a document described by a print file before printing it.

Suppose the manufacture distributes copies of the viewing software free to anyone who wants to receive and display print files, but charges a license fee to server software that sends print files to be viewed by the viewing software. To encourage people to take out a server license, the software manufacturer wants to make sure that the viewing software that it gives out free to document receivers only processes print files that were transmitted by licensed copies of the server software. On the other hand, the manufacture does not want the server to corrupt the print files in such a way that they cannot be read and used by other software or hardware in the receiving computer. As long as the server is licensed, the manufacturer does not care if the receiving computers use software other than the view software to

process the incoming data files. For example, the manufacturer may want to allow the receiving computer to send the incoming print file unmodified directly to a printer.

In accordance with the invention, the licensed server software embeds a "license stamp" in each data file it transmits indicating that the data file came from a licensed server. The free viewing software in each receiver computer is adapted to process the data file and generate a document display only when it finds a license stamp in the file. The license stamp does not, however, render the data file unintelligible to other hardware or software. For example, when a license is embedded in a subroutine of a print file that is never called by a main routine, a printer would print the file correctly because it would never encounter the license stamp. Thus, the license stamp would have no effect on the printer's ability to print the document. But the free viewing software would look in the print file for the embedded license stamp and only generate a document display when it finds the license stamp.

While the applicant's invention is concerned with stamping a data file with a license to make sure that particular software can only process files that are sent by a licensed sending software, WYATT is concerned with "locking" a data file to make sure that only licensed receiving software can process that particular data file. See column 2, lines 15-20.

In the applicant's system, a license stamp is included in the data file to indicate that the file came from a licensed sending software, and anybody's receiving software or hardware is free to receive and process a licensed file. The file is not wrapped or encoded in a way that makes it unavailable for processing by any receiving software in any receiving computer. Thus, the embedded license only indicates a data file came from licensed source software, and the license does not place any restrictions on the use of a data file containing it.

In WYATT's system, a data file is "locked" (by encrypting it) so that it cannot be processed except by a licensed receiving

computer system identified by an access code included in the locked file. Thus, the license included in the data file identifies a particular receiving computer system that is licensed to process the data file. It is the receiving computer, not the sending software that is licensed. In WYATT's system, no software in any computer receiving a data file can processes the data file unless the license in the data file identifies the receiving computer as being licensed to access the file. And only special unwrapping software in the receiving computer can check the access code and, if the access code identifies the receiving computer, "unwrap" the file and make it available to other software for processing.

Claim 1

The applicant's claim 1 (as amended) recites that "the license stamp embedded in the data file indicates that the data file was forwarded by licensed server software." This distinguishes the applicants' invention over WYATT because the license in WYATT's transmitted files is a receiving computer license, indentifying the particular receiving computer system that is licensed to access the data file. The license included in WYATT's transmitted files does not indicate that the file was transmitted by licensed software, as recited in claim 1.

The Examiner cites MUELLER only as disclosing a data file defining sounds or video images, and such disclosures are not relevant to claim 1 insofar as claim 1 does not recite data files defining sounds or video images.

Claim 2

Claim 2 depends on claim 1 is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 2 further recites that the embedded license stamp identifies the source computer of the data file. The Examiner points to WYATT col. 5, line 54-col. 22, line 55 as disclosing a license stamp in a data file identifying a source computer of the file.

However the cited section of WYATT teaches only about a software user entering data into a client computer identifying the software user, and WYATT neither teaches nor suggest anything about embedding a license stamp or any other data into a data file transmitted by a server identifying a server computer that transmitted the data file.

Claim 3

Claim 3 depends on claim 1 is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 3 further recites that "each data file, including its embedded license stamp, is a print file defining a document in a format suitable for directly causing a printer to print said document". WYATT's system forwards a wrapped data file which is not suitable as input to a printer and then requires receiving software to unwrap the data file before it can be used for its intended purpose. Hence, the file WYATT's system transmits is not in a format suitable for directly causing a printer to print a document described by the data file as recited in claim 3. The Examiner cites WYATT (col. 15, lines 40-60) as teaching the additional limitations of claim 3, but the cited section of WYATT simply describes a conventional computer system having a printer; it does not teach anything about embedding a stamp in a print file. It mentions nothing at all about print files.

Claim 4

Claim 4 depends on claim 3 and is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 4 further recites that the "license stamping means embeds said encoded license stamp into each data file in such a way that said printer ignores the encoded license stamp when printing said document in response to said data file." The Examiner cites WYATT (col. 15, lines 40-60) as teaching these additional limitations of claim 4, but the cited section of WYATT describes only a conventional computer system having a printer; it does not

teach anything about embedding a stamp in a print file so as to be ignored by a printer. It mentions nothing at all about print files.

Claim 5

Claim 5 depends on claim 3 and is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 5 further recites that the "action carried out by said processing software comprises displaying on a computer monitor a representation of the document defined by the data file". The Examiner cites WYATT (col. 10, lines 6-29) as disclosing the additional limitations of claim 5, however this section of WYATT teaches only that when a client computer receives a purchased product (a data file) from a server computer, the server sends a message to the client computer containing some information. Nothing in this section of WYATT says anything about displaying a document represented by a received print file when the print file contains an embedded license. WYATT does not discuss print files.

Claim 6

Claim 6 depends on claim 3 and is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 6 further recites that the "action carried out by said processing software comprises causing said printer to print said document". The Examiner cites WYATT (col. 15, lines 40-60) as disclosing the additional limitations of claim 6, however the cited section of WYATT describes only a conventional computer system having a printer and mentions nothing at all about printing documents defined by a transmitted data file.

Claim 7

Claim 7 depends on claim 1 and is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 7 further recites that the "data file defines a sound and wherein

said action carried out by said processing software comprises a initiating said sound". The Examiner cites MUELLER (col. 2, lines 30-40) as disclosing the additional limitations of claim 7, however this section of MUELLER talks about "applets" and "servlets" running on client and server computers, and mentions nothing at all about processing software that initiates a sound defined by a received data file when the data file contains a license stamp as recited in claim 7.

Claim 8

Claim 8 depends on claim 1 and is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 8 further recites that the "data file defines a video image and wherein the action carried out by said processing software comprises initiating a display of said video image" The Examiner cites MUELLER (col. 2, lines 55-65) as disclosing the additional limitations of claim 8, however this section of MUELLER talks about the use of Java to develop applets and provides no teaching with respect to software for displaying video images defined by a data file only when the data file includes an embedded license stamp.

Claims 9 and 10

Claims 9 and 10 depend on claim 1 and are patentable over the combination of WYATT and MUELLER for similar reasons.

Claim 11

Claim 11 depends on claim 1 and is patentable over the combination of WYATT and MUELLER for similar reasons. Claim 11 further recites that the "license stamping means includes a processing option code within said license stamp embedded within said data file, and wherein the option code influences the nature of the output the processing software produces when processing the data file." The Examiner cites WYATT (col. 8, line 4-18) as disclosing the additional limitations of claim 11, however this

section of WYATT teaches only that processing software looks at data embedded in a file to determine whether the processing software has the right to access other data in the file. WYATT does not teach including an option code in a license stamp embedded in a data file that somehow influences the nature of the output processing software produces when processing the data file.

Claims 12-22.

Claims 12-22 are patentable over the combination of WYATT and MUELLER for reasons generally similar to those discussed above in connection with claims 1-11, respectively.

Claims 22-26 are rejected under 35 USC 102(e) as being anticipated by WYATT. The Examiner is respectfully requested to withdraw this rejection of the claims (as amended) for the reasons stated below.

Claim 22

Claim 22 is patentable over WYATT for reasons general similar to those discussed above in connection with claim 11.

Claim 23

The Examiner cites WYATT (col. 1, line 54 through col. 2, line 55) as disclosing the limitations of claim 23, however this section of WYATT fails to teach the recited "third means for embedding [an] encoded license in the data file, and for forwarding said data file with the encoded license embedded therein to said second means, such that said encoded license indicates said data file as having been forwarded by said third means." WYATT teaches wrapping a data file so that it cannot be accessed by unlicensed software and teaches including a "first digital identifier" in the wrapped data file. The first digital identifier does not identify the source of the data file, it

identifies the target system authorized to receive the file. This difference renders claim 23 patentably distinct over WYATT.

Claim 24

Claim 24 depends on claim 23 and is patentable over the combination of WYATT and MUELLER for similar reasons. The Examiner cites WYATT (col. 1, line 54 through col. 2, line 55) as disclosing the additional limitations of claim 24, however this section of WYATT fails to teach that the "data file provided by said first means is a print file suitable as input to said printer for instructing said printer to print a document". This section of WYATT teaches that a transmitted file cannot be accessed by receiving computer unless first unwrapped, and nothing in the cited section of WYATT or anywhere else in WYATT suggests that a transmitted file containing a license stamp can instruct a printer to print a document.

Claim 24 further recites that "the third means processes said data file by displaying an image of said document and by transmitting said data file as input to said printer such that said printer prints said document in response to said print file." Nothing in the cited section of WYATT or anywhere else in WYATT suggests generating a display of a document represented by a printer file.

Claim 25

Claim 25 depends on claim 23 and is patentable over the combination of WYATT and MUELLER for similar reasons. The Examiner cites WYATT (col. 15, lines 40-60) as disclosing the additional limitations of claim 24, however this section of WYATT fails to teach embedding an "encoded license into the data file in such a way that the printer ignores the encoded license when printing said document" as recited in claim 25. The cited section of WYATT generally describes a computer having a printer but has nothing to do with embedding licenses into a print file.

Claim 26.

Claim 26 depends on claim 23 and is patentable over the combination of WYATT and MUELLER for similar reasons.

In view of the foregoing amendments and remarks it is believed the application is in condition for allowance. Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



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